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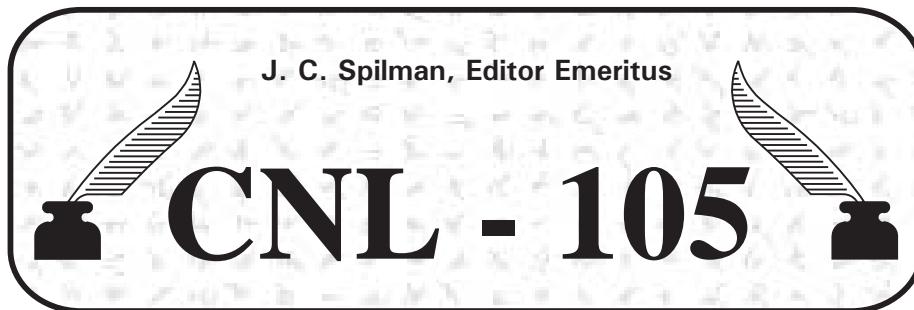
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EDITORIAL

Lightning seems to follow Tony Terranova, so stand back!! He has come up with another unique Fugio copper combination struck from a pair of heretofore unknown dies. Ye Editor Emeritus, Jim Spilman, a Fugio specialist, offers some valuable commentary.

Several years ago, in an informal dialogue with Jim Spilman, we discussed the "romance" of Confederation coppers as I sought to define all the artistic, physical and social science disciplines which impact on the study of colonial numismatics. To my list Jim added the following comment: "In regard to early American coinages we have the added attraction of a great deal of personal history of the coiners and promoters that can be integrated into the Science and Art aspects [of pre-Federal numismatics]...." There were many strong personalities involved in the production of state coppers, many of whom left their trail in time for us to follow. In this issue of CNL, Mike Hodder makes Thomas Goadsby step out of his role as Thomas Goadsby, coiner, as he skillfully reintroduces him to us as Thomas Goadsby, citizen. This is a fascinating glimpse into the private life of the man of New Jersey coinage fame wherein his political sentiments and social sensitivities are examined within the context of post-Revolutionary America.

In forthcoming issues, we plan to bring you the personal history of two more famous Americans whose lives were intimately associated with numismatics, Dr. Edward Maris and Paul Revere.

The "Birmingham Halfpenny," annotated by Dr. Charles Smith, contains a treasure-trove of information about the counterfeit coppers which formed a substantial part of the small change medium of early America. This rare manuscript was the object of months of research as he deciphered its archaic argot to uncover the intended significance and message of this little "chap book." These bogus halfpennies were the numismatic ancestors of all our pre-Federal coppers as one recalls that the primary motive for Confederation coinages was to provide good, true weigh coppers designed to drive such illicit issues out of circulation. The hero of this yarn, a cast William III copper, was not unlike those unearthed in the Philadelphia Highway Find reported by Eric Newman.¹ I personally have liberated two such cast pieces from dealers' junk boxes in northern Maine. So this is not a far-fetched story of Merry Ole England, but rather a tale very applicable to British North America. In fact it may provide the "missing link" from which we can learn valuable lessons as to the production, distribution and circulation of counterfeit coppers in this country as well.

The preparation of this manuscript was a very labor intensive project, not only in terms of Skip's research, but also in regard to the fantastic editing job accomplished by Associate Editor Gary Trudgen in scanning the old manuscript from which he removed numerous stains and extraneous marks deposited on the pages by the ravages of time. Thank you both for your efforts.

The Editor

¹ Eric P. Newman and Peter P. Gaspar, "The Philadelphia Highway Find," *The Numismatist*, 1978, pp. 453-67.

A New FUGIO CLUB RAY Discovery

Newman 25-PP

from

Anthony Terranova; New York, NY

(TN-175)

We recently received a brief note from *CNL* Patron Anthony Terranova with the terse comment, “*Looks like lightning struck again,*” and indeed it did! That understatement introduces the fact that Tony has found yet another new, concave end Club Rays FUGIO. You will recall his prior discovery of 24-MM reported in the *CNL* in July 1979 (pp. 677-78). This new variety, in accordance with Eric Newman’s system of attribution,¹ has been designated 25-PP and was struck from two previously unknown dies.



As colonial enthusiasts are aware, FUGIO coppers can be defined into three major types based on the characteristics of the rays emanating from the central obverse sun. By far, the Fine Rays lead the pack in sheer numbers; the Club Rays varieties, which are distinctly in the minority, are further distinguished by two subgroups, those whose club rays have convex ends (which the late Walter Breen called “Baseball bat” or “Round” ends) and those with concave ends (which Walter called “Musket Butt ends”). On closer scrutiny, it becomes evident that these three groups are quite different in several ways.

I would like to refer our readers to J. C. Spilman’s analysis of the Club Rays FUGIOS in *CNL* (sequential pages 179 to 183), with particular attention to the diagnostics of the convex end club rays, Newman varieties 2, 5, 23, and now 24 and 25.²

A major feature of this subset concerns the nature of the G in FUGIO; in 5, 24 and 25, this G is punched from a C and a crossbar added by hand whereas in 2 and 23, this crossbar detail was overlooked by the die

¹ Eric P. Newman, "Varieties of the Fugio Cent," *The Coin Collector's Journal*, July-August 1952, pp. 10-20.

² Also see James C. Spilman, *CNL* pp. 378-82 for more on distinguishing Fugio die varieties.

sinker with the resultant FUCIO error. Certainly the G in this new discovery lacks the same artistic detail of the Gs in the Fine Ray series suggesting that it, too, was improvised from the letter C. Spilman has also reported a different style of 7 in the date in the convex types, a finding which also holds true for the new 25 obverse. The position of the cinquefoil following FUGIO clearly is different from 24 making obverse distinction fairly simple.

The reverse die, PP, is a UNITED STATES type with two “raised” cinquefoils on the band giving the impression that the ornaments are in relief. These cinquefoils are similar to the MM die except that the label on that variety is STATES UNITED. The weight of this new discovery, 159.1 grains, is consistent with the heavier nature of this group of concave Club Rays which exceeded the legal requirement of 157.5 grains.³ The heavier planchet weight definitely separates this variety from its lighter Fine Rays and convex Club Rays companions.

The mystery continues and we are no closer to discovering the true origin of either of the Club Rays FUGIO types than we were in 1979 (although Spilman has suggested that they may be a product of Machin’s Mills based on the “fabric” of the planchets or a product of the Rupert, Vermont mint based on the known “travel” of Connecticut hubs to the Rupert mint.)

Tony’s concluding statement was another understatement, “*As far as how to know when you have new dies, well - you just know!*” But for those of us, like this editor, who lack an eidetic memory, perhaps the following schematic will be helpful in recalling the specifics of the concave and convex end Club Rays varieties. **PLM**

CLASSIFICATION OF CLUB RAYS FUGIO COPPERS⁴

A	B	C	D	E	F	G	H
concave	FUCIO	yes	2	United States	C	incuse	R7
convex	FUGIO	yes	3	United States	D	incuse	R3
convex	FUGIO	yes	4	United States	E	incuse	R3
concave	FUGIO	no	5	United States	F	incuse	R7
concave	FUGIO	no	5	United States	HH	incuse	R7
concave	FUCIO	yes	23	United States	ZZ	incuse	unique
concave	FUGIO	yes	24	States United	MM	raised	unique
concave	FUGIO	yes	25	United States	PP	raised	unique

LEGEND:

- A: Style of ray – convex [round end] or concave [musket butt]
- B: FUGIO or FUCIO
- C: Cinquefoil following FUGIO
- D: Newman obverse designation
- E: Reverse legend on reverse band (relative to WE ARE ONE)
- F: Newman reverse designation
- G: Nature of cinquefoils on reverse band of coin
- H: Sheldon rarity of die variety combination

³ See Mossman, *Money of the American Colonies and Confederation*, pp. 209, 211, 215.

⁴ See the following sidebar article titled “Fugio Attribution Scheme.”

FUGIO ATTRIBUTION SCHEME

by
James C. Spilman (ye Editor)

(TN-176)

In recent years, the method of choosing a new designation for a Fugio obverse or reverse has been to use the next open number or letter; therefore, Tony Terranova's new Club Ray Fugio has been designated 25-PP which follows 24-MM (obverse) and 10-OO (reverse) in the current attribution scheme.

This, however, has not always been the case. In the beginning when Eric P. Newman first published his monograph on the Fugios (in 1949) he selected two basic categories of Fugios. First were the "standard" varieties which included both Fine Ray and Club ray varieties, all of which appeared to have been struck from 18th century dies, and a non-standard category which included those other things that did not appear to be genuine 18th century Fugios; especially the "New Havens" all of which appeared to have been struck from modern dies.

Even earlier Boyd, Douglas and Crosby had each developed a Fugio attribution methodology based on the Miller scheme of a numeral for obverses and a letter for reverses (except Crosby reversed the order!). None of these, however, were ever published and their only use today might be for "translation" purposes on an very old coin envelope or notebook notation.

By 1960 the Fugio family appeared to have stabilized, but then, as new interest grew in the early American coinages, a few new Fugio varieties were discovered. At first, Eric Newman, Dave Bowers and ye Editor decided to name new reverses as a double letter with the first letter being the same as the existing die variety which it most closely resembled. In that manner varieties 17-WW and 19-SS were named and published by Dave Bowers & James Ruddy in their December 1958-January 1959 (Issue No. 4) of Empire Topics. Thus it was that Reverse SS "similar to S" received the double letter designation.

It very quickly became obvious that the "similar to" technique was unworkable - exceptionally subjective - and required excessive study to establish what and why two varieties might be "similar." At the suggestion of Eric Newman to ye Editor we decided to use the next open appropriate numeral or letter as new die varieties were discovered.

The numerals were no problem. Genuine Fugio obverses start with numeral 1 and today have reached 25 with the discovery of 25-PP. And - there is no problem of confusion since the "non-genuine" Fugios - New Havens for example - start in the 100 series with 101, 102, 103, etc.

The reverse designations present a different situation, however, as some double letter reverses were chosen in the beginning (in 1949). These include CC for the "regular" series and AA, BB, DD, EE, FF, and GG in the Patterns and New Haven categories, as well as JJ and UU for a couple of mavericks. All of these reverse designations are skipped in the "regular" series in order to avoid confusion. When 5-new appeared in 1965, it therefore was designated 5-HH.

This methodology has continued to the present time, (with a couple of exceptions) until today we have 25-PP. The next pair of open designators are 26 and QQ.

There remain several out-of-sequence reverse designations which have already been used including, in addition to those listed above, LL, SS and WW. The combination "II" was skipped intentionally because of the difficulty of discriminating between (eye-eye) and the Roman numeral two.

The confusion of obverse and reverse designations outlined above can be resolved into a much better visual depiction by referring to "Appendix A - Summary Worksheet Update; January 1991" on CNL sequential pages 1239 & 1240. Here, all of the varieties are tabulated (except 25-PP, of course) within their specific family and this tabulation provides a visualization of all of the various die variety designations.

While this bit of Fugio trivia may not be of much interest to some, ye Editor thought our Patrons might appreciate having a record of why and how the Fugio Newman attributions are the way they are today. **CNL**

THE CASE AGAINST THOMAS GOADSBY**by****Michael J. Hodder; Wolfeboro, NH****(TN-140A)**

It is not often that a figure familiar to us from numismatics steps out of role to play a part on the larger stage of History. Matthias Ogden of New Jersey coinage fame did, when he was commissioned to carry from France to Congress the news that the Treaty of Paris had been signed in 1783. Thomas Machin, the engineer who constructed the great chain across the Hudson, was another numismatic figure who stood out for a while against the backdrop of his time. Most of the coiners and jewelers, engravers and die sinkers about whom we know something did their jobs well or badly, lived their lives well or badly, but left little more evidence of their having been here beyond the coins they helped make.

Occasionally, the lucky survival of a letter or a diary can shed new light on the life of a numismatic personality. In some very rare cases, the newly found document plucks that life out of its numismatic niche and places it squarely on the stage of History. The case of the New York Assembly v. Thomas Goadsby is just such an example.

Goadsby's name is most familiar to collectors of colonial coins as one of the three partners in the 1786 contract to make copper coins for the State of New Jersey. We know that the partnership dissolved late that year and was reconstituted as an agreement between only two of the original partners, Goadsby and another Englishman, Albion Cox. We also know that this second partnership in turn dissolved, late in 1787 or early the next year, and was never revived.

Gary Trudgen, our best biographer of colonial era coiners, has developed other information about Goadsby. Gary found that Goadsby first came to America early in 1783. Landing in New York City, then still occupied by the British, Goadsby set up an importing business at 40 Hanover Square specializing in silks and gauzes, the luxury end of the clothing business.

While reviewing the journals of the New York Assembly, Trudgen found that Goadsby had run afoul of the law in what must have been a big way in March, 1785. According to the summary of the case, Goadsby was brought before the New York State Assembly on March 22, accused of exciting and promoting "...dissension and disaffection to the Government." as the bill of indictment read. Goadsby pled not guilty, his future partner Albion Cox testified for the prosecution, and three days after his arraignment Goadsby was found guilty, ordered to apologize to the Assembly, and was fined costs.*

Since the record in the Assembly's journal was little more than a resumé of the proceedings, many specific details about the case were not included. We did not know, therefore, why Goadsby had been accused of so serious a crime as incitement to rebellion. The present writer suggested that Goadsby might have been one of those wealthy New York City merchants opposed to the formation of early trade unions favored by the Assembly, and whose opposition led him into seditious speech.

* **Editor's Note:** For a complete transcription of the Assembly proceedings concerning Thomas Goadsby, see CNL sequential pages 1288 through 1290. GAT

So the story seemingly ended, with Goadsby inexplicably indicted and convicted of a serious crime and no historical record to explain why. Then about two months ago, a happy discovery was made. Dave Bowers, whose name needs no introduction to collectors of colonials, purchased a complete set of a famous 19th century publication, the *Historical Magazine*. Typical of its kind and era, this publication featured original articles on historical subjects, as well as reprints of older texts both well known and obscure. There were some duplicate copies of individual issues in the set Dave bought, and he gave those to me.

It was in one of those duplicates that I found the missing document that explained why Goadsby fell afoul of the law. More importantly, the letter showed Goadsby to have been more than just a cloth merchant or, later, a maker of coins. He was also something of a minor player on History's stage and he seems to have left an impression, at least on the minds of his fellows, that lasted beyond the event that thrust him forward.

The document is a letter written in New York City by John Thurman, Jr. on September 8, 1785. The letter was addressed to Thurman's friend William Smith, originally a New Yorker, but then resident in London. From the context, it appears that Smith was clearly one of those "banished" Tories who had lost all in 1783.* The letter concerns several subjects, including matters of interest solely to Thurman and his friend. I have appended that part of the letter that directly concerns Goadsby and his legal entanglements. Readers who want to read the entire letter may refer to the *Historical Magazine*, second series, v. IV, No. 6 (December, 1868), pp. 294-295.

Before we get to the events related in Thurman's letter, perhaps we might become acquainted with the writer. John Thurman (1732-1809) was born in New York City. He was active as a merchant by 1760, selling dry goods, hardware, groceries, and other sundries. He had many customers in Albany and the western settlements, and is known to have accepted furs in exchange for goods in lieu of cash. In 1775, despite public warnings, Thurman continued to sell military stores to the British army. In consequence, he was continually harassed by the New York Sons of Liberty. In Albany in July, 1778, Thurman refused to take an oath of loyalty to New York State, even though he was opposed to Great Britain's taxation policies. He was removed by a local committee of safety and forced to stay behind the British lines during the war. Arriving in New York City early in 1779, Thurman found the house he owned there occupied by a Tory from Boston, who had been lodged in it by the British army. Thurman tried to recover his house, fell into an argument with the occupant, and was grabbed and paraded through the city streets and then incarcerated for disturbing the peace. After the war, Thurman returned to (alternatively, he may never have left)

* **Editor's Note:** William Smith was Chief Justice of New York from 1763 until the American Revolution. After graduating from Yale in 1745, he studied law in his father's law office with William Livingston, the future governor of New Jersey. Smith was admitted to the bar in 1750 and, afterwards, he and Livingston operated a highly successful law practice. Smith married Janet Livingston in 1752.

Like his friend Thurman, Smith attempted to remain neutral during the Revolution. However, when he refused to give the Test Oath in 1777 he was paroled to Livingston Manor on the Hudson. When he refused the oath again the following year, he was banished to British occupied New York City.

When the British army evacuated the city in 1783, he embarked with the British Commander in Chief, Sir Guy Carleton, aboard the frigate *Ceres* for England. They arrived in Plymouth on January 10, 1784 and proceeded to London. Smith remained in England until 1786 and then moved to Canada to take up the post of Chief Justice, which he had been appointed to on September 1, 1785. He held this post until his death in 1793. GAT

New York City, but he soon assigned his business there to nephews. In later life, Thurman removed to Johnsburgh in Warren County, New York, where he died aged 77, after being gored by a bull. If Thurman had no reason to love the patriots, who had forced him to leave his Albany home, he had less reason to love the British, who in turn had confiscated his New York City house. Thurman was one of the many Americans who sided with neither Tories nor rebels, and was persecuted by both sides.

In writing to his friend Smith, Thurman related the substance of a conversation he had with a mutual friend, William Livingston, governor of New Jersey. According to Thurman, Livingston was imbued with exactly those virtues of thrift and plainness that threatened the livelihood of a dealer in imported luxury goods. Livingston's republicanism brought to Thurman's mind an episode in his own life that made a strong impression on him.

As Thurman tells it, his friend Thomas Goadsby had arrived in New York City after the signing of the Treaty of Paris, that ended the war between Great Britain and America (Goadsby's first business advertisement actually appeared in the June 9, 1783 issue of the *New York Gazette*). At some time during the first quarter of 1785, Goadsby received a tax bill from New York City, charging him with an assessment that he felt was illegal because Goadsby believed he was not subject to the tax, based on the fact that he had not arrived in New York until May, 1783. However, the law that established the tax, called by Thurman the "Partial Law", must have stated that the tax applied equally to Goadsby as well as to others (the "Partial Law" has proved resistant to identification). Goadsby was assessed £7, as his share of the tax.

It is here that we begin to learn something about Goadsby's character that we could not have known before. He must have felt the tax to be unfair, not only because it occasioned a loss of capital, but also because he clearly believed he was not subject to the law. Goadsby's objections were not just motivated by self-interest, therefore. Rather, they were also grounded in principles that, as we shall see, were strong enough to lead him to public protest.

Goadsby refused to pay the tax New York City claimed he owed. On March 22, 1785, one of New York's aldermen, Jeremiah Wool, obtained an arrest warrant on the charge of failing to pay the tax, and had Goadsby picked up and taken to prison. Goadsby's lawyer, Colonel William Livingston, obtained Goadsby's release from prison on a writ of habeas corpus, one of the legal remedies the colonists had fought so hard to obtain. Goadsby was ordered to appear before Justice Hubbard, who had the year before heard cases in Albany against Loyalists.

Word of Goadsby's arrest and imprisonment spread very quickly, because as he emerged from the jail he was met by a throng of his friends and fellow merchants, all of whom must have shared his opposition to New York City's tax laws. Waiting outside the prison for him were two dozen men, all friends. Surrounding Goadsby, they formed up in parade fashion and escorted him in columns of twos from the prison to his house.

The parade marched from the prison, which was located on the common abreast of Warren and Murray Streets, about where City Hall is today, to 40 Hanover Square, where Goadsby kept his shop and home. Thurman did not give the exact route taken from the prison, so it could have been along several different streets, including Broadway, Nassau and Broad Streets, William and Smith Streets, etc. After Goadsby and his escort reached his house, they turned into what Thurman called Chapel Street, proceeded down Queen and then into Wall, finishing up at Thurman's house on Smith Street. There, some of the marchers gave three cheers for Goadsby, which attracted the attention of passersby.

The route of the parade followed the chief business streets of the city and was probably not chosen

haphazardly. Clearly, the marchers wanted to be seen. Queen (now Pearl) Street was narrow, poorly paved, and in some places, lacked a sidewalk. Wall Street was one of the city's widest thoroughfares, with tall and elegant buildings, the lower stories housing shops and businesses, the upper ones residences. On the corner of Wall and Broad Streets was City Hall. Nearly opposite was Alexander Hamilton's house. Pearl Street, between Whitehall and Coenties Slip, was where the courts were. William Street was the chief street for dry goods sellers. The newly formed Bank of New York was located at 156 Queen Street, in the old Walton House (built 1752).

From Thurman's house, the parade marched to Pearl Street. There, Goadsby's followers turned him over to Judge Hubbard, according to the terms of the writ of habeas corpus his lawyer had obtained. Brought before Hubbard, Goadsby wisely decided to pay his tax in order to avoid further imprisonment and loss of business. After paying the court its costs and fees, and agreeing to his liability for the £7 tax, Goadsby was released. He rejoined his friends, who were waiting outside, and together with his lawyer Livingston, and his friend Thurman, Goadsby and the whole troop marched east along Wall Street until they came to Water, where the Merchant's Coffee House was located.

In the late 18th century, the coffee house was the center of social and political life. There is no real equivalent social institution today. The coffee house was where men met to make business deals, trade in ships' cargoes, plan ventures both commercial and political, and where support or opposition to political events of the day was most vocal.

In 1785, the Merchants Coffee House was famous as the seat of political opposition to British tyranny. It had served as the center of opposition to the Stamp Act in 1766. In 1775, New York City's Committee of 51 had sent to Boston a letter calling for the formation of a Continental Congress to plan a response to Britain's closure of Boston's port. The letter had been signed by such stalwarts as Isaac Low, Alexander McDougall, James Duane, and John Jay. The Committee of 51 met at the Merchants Coffee House and drew up their letter there. By the close of the Revolution, the Merchants Coffee House had been captured by those New Yorkers who would later call themselves Federalists, men who favored a strong central government at the expense of local state power. The Merchants Coffee House also became the center for opposition to Governor Clinton and the anti-Federalists. This opposition came to focus on two major issues, taxation on goods imported from Britain, and the appropriate treatment of loyalists.

In 1785, New York state's tax laws were as complex, iniquitous, and governed by special interests as they are today. In the most general of terms, the laws were written by those who took a hard line against all things British. This faction, led by Governor Clinton, who once vowed to hang every Tory he could find, drew its chief support from the northern New York State agricultural interests. Their continuing control of the state assembly was only possible as long as New York City's merchants and mechanics continued to pay an inordinate share of the general tax burden.

For example, a property tax quota system was established in 1779, engineered by the agricultural north, which resulted in New York City's paying one-quarter of the whole state's property tax even though the city contained only one-twelfth of the state's population and had only one-seventh of the number of representatives then in the assembly. Alexander Hamilton, admittedly no friend of the assembly, wrote to Robert Morris that the New York tax system was "vicious, burthensome to the people, and unproductive to the government."

The upstate agricultural interests were staunch republicans, conservatives ideologically opposed to what they perceived as the luxurious lifestyles of the urban merchants. When John Thurman has Governor Livingston say in his letter that "Ribbons, gauzes, trimmings, silks, feathers, & ornaments are not necessary to decorate the ladies, nor lace, fine cloths, or cambrick, etc. to

decorate the men. Commerce is not necessary, riches are an evil, pomp is a sin. Poverty, frugality, industry, and agriculture are the virtues that are absolutely necessary...”, Thurman was not exaggerating all that much. The common man was supposed to be king, and the upstate farmers looked with suspicion on the rich New York City merchants.

Following the Revolution came the inevitable, postwar depression. By 1785, the New York Assembly was receiving two to three petitions for bankruptcy once, and sometimes twice, a week. Granting such a petition allowed the debtor to pay only what he claimed he owned to his creditors, the balance of his debts being forgiven. Although a general law allowing such forgiveness of debt was not approved, the assembly’s apparent favor to debtors outraged downstate merchants, who objected that their debtors were signing over their assets to family members or friends, then falsely petitioning for bankruptcy relief.

On November 18, 1784, the New York Assembly passed and Governor Clinton signed a new customs act. The act stated that ordinary customs duties levied on goods imported from Great Britain were henceforth to be doubled if the goods had been imported by a British subject (now we know why Samuel Atlee was so quick to become a naturalized American citizen). The act established new customs posts, in New York City and on Sag Harbor, Long Island. One time Brigadier General John Lamb (1735-1800), a Clintonian, was appointed the first receiver in charge of the new duties. Three years later, in the fight against ratifying the Constitution in 1787, General Lamb’s custom house in NYC became the headquarters of the Republican Club. After ratification of the Constitution, President Washington in a conciliatory move appointed Lamb collector of federal customs for New York City, so he kept this post. Lamb resigned in 1792, following revelation of financial impropriety by one of his deputies, and he died in poverty.

Early the following year, New York State went further and passed a law taxing articles shipped overland from neighboring Connecticut, Rhode Island, and even Massachusetts, that had originally been imported into those neighboring states from Britain, as if they had actually been imported directly into the port of New York. Connecticut retaliated, and two years later even went so far as to resolve to export nothing to New York City for the next year.

The Continental Congress, then seated in New York City, unsuccessfully tried to gain control over customs duties, claiming they were a matter of national, not local, interest. Governor Clinton and the New York State legislature consistently opposed the Congress, the agricultural majority in the New York Senate each time refusing to grant Congress this power. New York City’s merchants were in favor of federal control over customs duties, believing that federal control would bring in revenues to the Congress, thus lowering the burden of taxation to pay for congressional expenses. In March, 1785 a petition in favor of the federal customs was circulated and was sent to the assembly. The New York City Chamber of Commerce asked the state legislature to give Congress the authority to regulate trade. A so-called General Committee of Mechanics circulated petitions throughout the northern states, supporting the federal customs. On April 27, 1785, at the Merchants Coffee House, merchants and public creditors met and appointed a committee to remonstrate with the Assembly over its failure to grant the impost. The committee included William Duer, William Malcolm, Doctor Ledyard, Isaac Sears, and Thomas Lawrence.

A distinct anti-British, anti-New York City merchant bias can be detected in the disputes over taxation and customs in 1784-1785. When it came to the treatment of those New Yorkers who either supported the British during the Revolution, or who just refused to take sides at all, the Tories, bias flowered into open intolerance and persecution.

From the governor on down, attitudes towards the Tories verged on open contempt. They were seen as a class that had betrayed the Revolution, and therefore one that had forfeited its rights

to fairness and tolerance. Very soon after the American victory at Yorktown in 1781, New York State passed laws against Tories, aimed at both disenfranchising them and depriving them of their property. Ephraim Brasher was one New Yorker who made a small fortune buying confiscated Tory properties for a fraction of their true worth. But it was in 1783 that the most notorious of the anti-Tory acts was passed, the infamous Trespass Act.

On March 17, 1783, the New York State legislature passed the Trespass Act, which stated that any citizen whose property had been confiscated by the British and leased or otherwise taken by someone else during the war, could sue the interloper for damages. The effect of this law was to make every New Yorker who had stayed behind in the city after 1776 and who had leased a house to live in from the occupying army potentially liable to the original owner for rent on the premises since 1776, as well as an unspecified amount of damages. The law ran counter to both the ordinary rules of war as observed by all nations of the time and the terms of the Treaty of Paris, signed by the United States, that ended the war. The issues at stake in the law, therefore, transcended those of individual interest. They went to the heart of the great issue of the day, whether the federal government had the power to bind the several states by international treaty. The first action to arise under the Trespass Act would become, if handled right, a forum for both Federalists and anti-Federalists to make their best case.

In September, 1776 British troops occupied New York City and took possession of the brewery owned by the widow Elizabeth Rutgers and her son, Robert. The Rutgers fled the city. The brewery was placed under military control. On June 10, 1778, the brewery was leased to Benjamin Waddington and Evelyn Pierrepont, British merchants resident in New York City. Waddington and Pierrepont retained the leasehold until March 17, 1783. When the British evacuated the city in November, 1783, Pierrepont left the city, also. Waddington stayed behind. On her return to the city, Mrs. Rutgers regained possession of her brewery.

Not coincidentally, the same day the Trespass Act was passed Waddington and Pierrepont surrendered their lease of the Rutgers brewery. On recovering her brewery, Mrs. Rutgers sued Waddington under the Trespass Act. Although no physical damage had been done to the brewery structures or premises, Mrs. Rutgers claimed damages in the form of four and a half years' lost rent on the brewery and the brewmasters' house adjoining.

The Rutgers case quickly attracted popular attention, as it was the first sued under the Trespass Act. The widow's cause appealed to those who hated the Tories and those who hoped to profit in their own future cases from a favorable decision in hers. Mrs. Rutgers' case was taken by Robert Troup, John Lawrence, and William Wilcox. The New York state attorney general, Egbert Benson, also intervened on Mrs. Rutgers' behalf.

Benjamin Waddington's case was extremely unpopular, as no one wanted to appear to support a known Tory who the public believed had swindled a poor widow out of her rightful due. Nevertheless, Waddington's cause appealed to those who saw it as representative of the rotten and vindictive treatment meted out to Tories following the victory over Great Britain. In addition, the outcome of Waddington's case would have diplomatic and international ramifications. By the Treaty of Paris that ended the war, America pledged not to interfere with the property rights or liberty of those who had remained behind English lines during the war, those popularly called the Tories, and who had conducted themselves according to the laws then in effect. Since Waddington had leased the widow Rutgers' brewery according to British military law, his supporters believed he should not have been liable to prosecution or penalties for conduct protected by the Treaty of Paris.

Despite its unpopularity, Waddington's case was taken on by some of the most prominent New York City lawyers, including Brockholst Livingston, Morgan Lewis, and Alexander Hamilton.

Rutgers v. Waddington came to the bar for a hearing on August 7, 1784. The case was heard before the Mayor's Court of New York City, with Mayor James Duane presiding. Duane had taken his oath of office only six months before, and was still feeling his way around the job. Hamilton argued that Waddington's lease of the Rutgers' brewery was protected by two points. First, the laws of nations and of war allowed the victor to dispose of the property of the vanquished. Second, and more importantly, the Treaty of Paris superseded the Trespass Act, since the former had been enacted by a national congress whose acts by right bound the several states and any local laws they might pass.

Arguing for the widow Rutgers, Attorney General Benson stated that Congress had no power to bind any state, that New York was a sovereign state entire unto itself, and therefore the Trespass Act took precedence over the Treaty of Paris. Benson proclaimed that Waddington's lease without payment of the widow's brewery was in violation of an act of a sovereign state, and that the court must find in her favor.

Mayor Duane confronted two strong arguments, both fraught with consequences to his city, his state, his new nation, and his own personal career. With considerable skill, he managed to steer a middle course between the two opponents. Nearly three weeks after he had heard the opening arguments, Duane delivered his verdict. He began by agreeing with Hamilton, saying that it was also his opinion that "...no state in this union can alter or abridge, in a single point, the federal articles or the treaty." But, he went on, in the case at hand, Waddington obtained his lease not from the general commanding British forces in New York City, but from the commissary-general, a subordinate officer who had acted without the explicit authority of his superior. Accordingly, Duane ruled, although Waddington's lease would have been protected by the sovereign effect of the Treaty of Paris, the lease was lawfully imperfect and thus could not have conveyed a leasehold right in the brewery. Waddington's lease was illegal, therefore, and accordingly, Duane found for the widow. The case was bound over to a jury for a hearing and assessment of damages. Where the judge's opinion was considered and tried to give something to both sides, the jury's decision was more in keeping with Attorney Benson's side of the issue. On September 2, 1784, the jury fined Waddington the inordinate sum of £791/13/4.

Despite his waffling, Mayor Duane was branded along with chief counsel Hamilton as a Tory lover and no son of liberty. Mass outpourings of resentment and anger at Duane's support of Hamilton's federalist arguments soon followed, and the newspapers were quick to print diatribes against both men. On November 2, 1784, the New York State legislature went so far as to censure Mayor Duane and his court and advised the Council of Appointments to be more cautious in whom it named as mayor next time around.

In the aftermath of the case, Hamilton took his arguments to the newspapers, beginning a debate over what later came to be known as federalism. Writing under the pseudonym Phocion, Hamilton made many of the same arguments he had delivered before Mayor Duane's court. Replying to him with the anti-federalist, Clintonian, side was Isaac Ledyard. Failing to win their arguments in print, some anti-Federalists conspired to challenge Hamilton to a succession of duels, one of which, it was hoped, would prove his death. Ledyard, to his credit, is said to have warned Hamilton of the plot.

This long digression into the political and legal history of New York City in 1784-1785 is necessary, if we are to understand how Goadsby landed in the trouble he did, and what happened to him as a result. No one acts in an historical vacuum, whether he be a great or a small man. Sometimes,

the small man finds himself playing a part in a bigger scene, moved by historical forces that govern the public actions even of great men.

When Goadsby and his friends assembled at the Merchants Coffee House, they ordered bowls of punch all around and began celebrating what they must have seen as a moral victory. But, no sooner had they drained their first bowl than Jonathan Piercy, the Sergeant-at-Arms for the New York State Assembly, strode through the front door bearing an order for Goadsby's arrest. The charges were treason and sedition against the State of New York. Piercy took Goadsby into custody and led him out of the Merchants Coffee House. Thurman did not specify where Goadsby was taken and held, it may have been to Piercy's own house, or to the city prison, from whence Goadsby had been released only a few hours earlier, but Goadsby was back in jail that very evening.

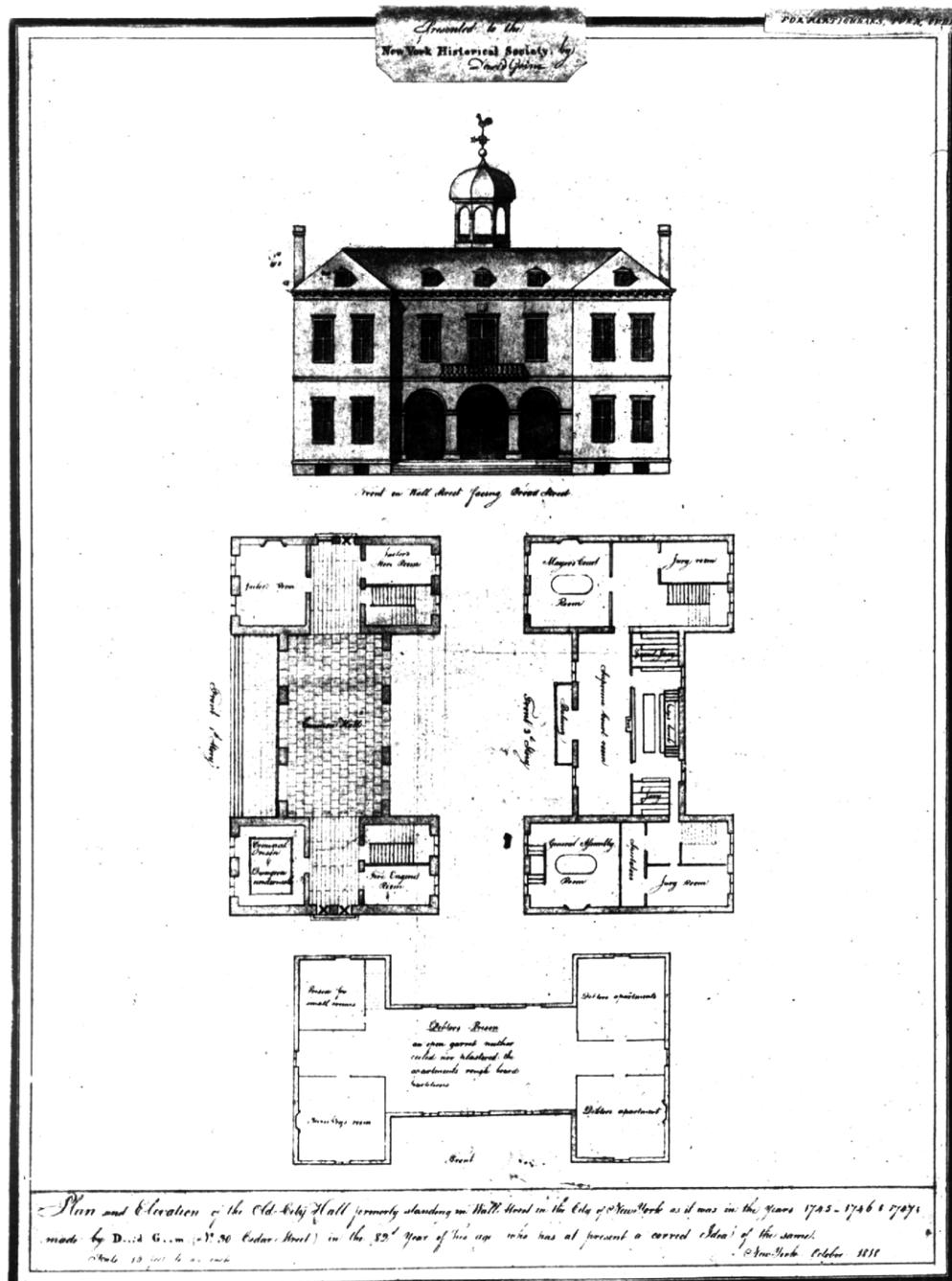
The next day, Wednesday, March 23, 1785, Goadsby was brought before the bar of the New York Assembly. The charges against him were read out, that Goadsby had made malicious and damaging statements against the honor and dignity of the Assembly in words that tended to excite dissension and disaffection to the government. When asked how he pleaded, Goadsby replied not guilty, stating that he had never said anything against the Assembly either disrespectful or seditious.

William Ketchum and Jeronimus Riker, two New Yorkers who otherwise are unknown, were then called as witnesses in the case. According to the summary of their testimony provided in Thurman's letter, they stated that Goadsby had made statements that denigrated the assembly, its laws, and its honor. They claimed that Goadsby had said that the bankruptcy laws were unfair, that all anyone had to do to cheat his creditors was run to Judge Hubbard, declare bankruptcy, and walk out "whitewashed." In speaking of the tax laws (almost certainly meaning what Thurman called the partial law), Ketchum and Riker claimed that Goadsby had said "they were all fools together," but the witnesses could not say whether they understood Goadsby to mean the laws, themselves, were the fools, or the legislators who had made the laws. Alderman Wool was called, and he stated that when he arrested Goadsby for failing to pay his tax, Goadsby told him that he only allowed himself to be arrested because he wished to be agreeable to Wool's demand, not because he felt he was subject to the tax law.

At this point, Goadsby proclaimed that he would publish the story of these proceedings in all the newspapers of Europe. He indignantly pointed out that he had been arraigned before the Assembly without a duly authorized warrant to appear, and that the trial was, therefore, illegal.

The two prosecutors in the case against Goadsby, Peter Yates and a Mr. Lawrence (John or Joseph, he is not identified further by Thurman), then began to present evidence against Goadsby drawn from statute and even the Constitution. Yates (1747-1826) had been born in Albany, where he was admitted to the bar and practiced law. He was a revolutionary from the earliest days, being elected in 1775 to the Albany Committee of Correspondence (reelected in 1776, he declined service). His legislative career was good, being a New York assemblyman in 1784 and 1785 and a member of the Continental Congress in 1785-1787. He died in Caughnawaga, New York. His uncle, Abraham Yates (1724-1796), was one of the upstate anti-federalist senators (1778-1790) bitterly opposed to the idea of a federal customs system. Lawrence escapes exact identification, unfortunately.

At this point in the proceedings, someone must have realized the implications of Goadsby's outburst, that he was being tried without warrant or an attorney present. One of the prosecutors then said that the case against Goadsby could be proved but before it went any further, Goadsby should be asked if he wanted to have a lawyer present. Goadsby, naturally, said yes, and asked



Plan and Elevation of the Old City Hall formerly standing in Wall Street in the City of New York as it was in the years 1745 - 1747; made by David Grim (No. 30 Cedar Street) in the 82^d year of his age who has at present a correct idea of the same. New York October 1818.
(© Collection of The New-York Historical Society.)

Editor's Note: The City Hall elevation drawing shows the front of the building on Wall Street facing Broad Street. The Assembly chamber was located on the second floor of the right wing. The floor plan of the first story is shown at center left and the second story at center right. The basement, which served as the Debtor's Prison, is depicted at the bottom of the drawing. GAT

for time to prepare a case in his defense. The Assembly decided to give Goadsby until the next day to retain and brief his counsel. They also ordered that the witnesses be recalled, and that Albion Cox be added to the list of those whose testimony would be heard. Goadsby was remanded into the custody of Sergeant-at-Arms Piercy, and the Assembly moved on to other business.

The next morning, Thursday, March 24, 1785, the Assembly reconvened the case against Goadsby, but immediately ran into unforeseen problems. News of Goadsby's arrest and prosecution had spread throughout the city, and when he was brought back into the Assembly chamber, his supporters were out in force to oversee the proceedings. At this time, the New York Assembly met in a room in the east wing of the second floor of New York's City Hall. Seeing the assembled throng, which probably included only supporters of Goadsby's cause, the Assembly proclaimed that the number of spectators was so large that they feared the floor of the room might collapse, so it ordered an adjournment to the sturdier downstairs rooms of City Hall. It is also quite possible that the Assembly was more than a little fearful for its own safety, and ordered the move because they felt that the ground floors of City Hall offered the Assembly more security than the upper floors could. In this regard, it is interesting to note that, almost exactly one year earlier, the New York chapter of the Society of the Cincinnati, the organization of ex-Continental army officers, volunteered its military services to the governor and Assembly in a time of what it proclaimed to be public disorder. A John Lawrence, possibly one of Goadsby's two prosecutors, was one of the members deputized to convey the society's support to Governor Clinton. The Society was then under the chairmanship of the same Brigadier General Lamb, whom we met earlier, in charge of New York's customs. Lamb was an old New York Son of Liberty who, with Isaac Sears, had seized the New York City customs house following news of the Battle of Lexington (April 23, 1775).

When the Assembly reconvened, later that morning on Thursday, March 24, 1785, Goadsby appeared at the bar with his counsel. He had two lawyers. The first was the same Colonel Livingston who had got him out of jail the previous Tuesday. Livingston had had a distinguished war record and was well known to many in the Assembly. He was also known to at least one other future coiner, Thomas Machin. On October 6, 1777, Livingston joined Captain Thomas Machin to parley with British Lieutenant Colonel Mungo Campbell outside Fort Montgomery, which was then besieged by forces under the command of British General Henry Clinton. The fort was eventually taken, but only after a hard fight. Colonel Livingston was captured. Captain Machin was wounded in the shoulder while manning a canon, but escaped. British Colonel Campbell was killed leading the attack. Goadsby must have had confidence in Livingston, for he retained him as his New York City attorney in another action four years later (Aaron Ogden, another ex-officer and later a federal senator, acted for Goadsby in the New Jersey courts).

Goadsby's other lawyer was none other than Colonel Alexander Hamilton. On its face, Hamilton's representation of Goadsby's interests should not be entirely surprising. Hamilton was a lawyer in practice in New York City. He had already acted as Goadsby and Company's attorney in a September 7, 1784 suit against James Brebner and Andrew Brown. In fact, the Goadsby v. Brebner & Brown affair was continued to August 23, 1785, so Hamilton would represent Goadsby again, after his brush with the New York Assembly. Curiously, the lawyer arguing against Hamilton in this case was Aaron Burr, who would later kill Hamilton in an act of murder during a duel by pistol. With Hamilton's help, Goadsby would win his case against Brebner and Brown, who were ordered to pay £19/19/8 damages, 6d costs.

Goadsby knew Hamilton from another arena. Alexander Hamilton was one of the founders of the Bank of New York and was probably the author of its constitution. The bank was actually founded at the Merchant's Coffee House in meetings on February 24 and 26, 1784, approximately one year before Goadsby ran into trouble with the law. Thomas Goadsby owned two shares of the new bank's stock. Hamilton, a member of the bank's board of directors from 1784 to 1788, owned one

share, and co-counsel William Livingston also owned one share in 1784. Albion Cox, a witness in Goadsby's 1785 trial and later his partner in the New Jersey coinage scheme, owned two shares of bank stock. With just one exception, the men arrayed against Goadsby in his March, 1785 trial before the Assembly were not supporters of Hamilton's newly founded Bank of New York, and the exception turned out to be a sympathizer.

Goadsby's choice of Alexander Hamilton as co-counsel in his trial before the Assembly almost certainly implies more than just confidence in a lawyer and businessman of proven talent. It could not have been lost on Goadsby that Hamilton had only just concluded arguments in the Waddington v. Rutgers case under the Trespass Act, or that Hamilton was seen as a champion of those opposed to Governor Clinton and the states-righters in the legislature. For his part, Hamilton could not have been unconscious of the implications of Goadsby's own case, a British born merchant hauled off before the bar of the Assembly on no warrant, accused of speaking his mind in public. Goadsby's case would not be of the moment that Waddington's was, but it was another instance of opposition to rough riding by the Assembly.

After Goadsby's attorneys were recognized by the Assembly, prosecutors Yates and Lawrence reexamined witnesses Riker and Ketchum, who must have reiterated their previous testimony. Alderman Wool was recalled, and Albion Cox was examined for the first time. Once the prosecution had finished, Hamilton and Livingston asked their own questions of the witnesses. The Assembly adjourned for lunch, and when it reconvened that afternoon, decided to continue the hearing to the next morning.

On Friday morning, March 25, 1785, the Assembly reconvened to continue hearing the case against Thomas Goadsby. Both prosecutors and defense lawyers made their summations, the former going first. When Hamilton rose to speak for Goadsby, he made a remarkable statement. According to Thurman's account, which we have no reason to disbelieve (Thurman was present at the time, having been called as a witness but never examined), Hamilton said words to the effect that "I was loathe to appear as counsel in the case and would not agree, but Goadsby assured me nothing could be proved against him. Had I known how much would actually be proved, I would not have agreed to appear on Goadsby's behalf." No sooner had Hamilton said these words, than prosecutors Yates and Lawrence proclaimed that Goadsby's own lawyer had proven their case for them! The Assembly appeared to agree.

Yates then made a motion that Goadsby be found guilty of a misdemeanor of contempt for the Assembly, that he be made to ask forgiveness of the Assembly publicly from the bar, and that he pay Sergeant-at-Arms Piercy's fees before being discharged. Before the Assembly could move the motion to a vote, Assemblyman Comfort Sands rose with a competing motion. Sands (1748-1834) was a businessman who in 1782 had been the successful low bidder on Robert Morris' contract for military supplies (the next year, he lost the contract for demanding his payments be made in specie). Sands was the only assemblyman prominent in the Goadsby case who was also connected with the Bank of New York, being one of the founders and, along with Hamilton, a member of the board of directors (1784-98). He was later, 1794-1798, president of the New York City Chamber of Commerce.

Sands, apparently sympathetic either to Goadsby or to the cause he then personified, moved that Goadsby be simply reprimanded instead of convicted of a misdemeanor. The Assembly disagreed, however, and his motion was defeated 28 to 12. Yates' original motion was moved, and the Assembly divided along the same lines as it had on Sands' motion, voting 29 to 11 in favor of the harsher penalty. The Assembly adopted Yates' motion, Goadsby was found guilty, and was ordered led before the bar to pray his pardon of the house. Goadsby had no choice but to comply,

on which he was released into his own custody, paid the Sergeant's fees (which could have run to as much as £2), and the case against him ended.

Hamilton regretted his hasty words, and Thurman notes him as saying he would willingly have paid 100 guineas for a chance to restate what he really meant to say. Thurman goes on to tell his correspondent that Hamilton's intemperance did not stop him from collecting his 10 guineas fee. In Thurman's opinion, Hamilton's representation hadn't been worth 10 coppers, or less than one shilling, let alone the 210 shillings he charged Goadsby. Thurman clearly felt that Goadsby might have won his case had Hamilton kept his mouth shut. Presumably, Goadsby's native wits had pointed out the flaw in the Assembly's case against him, namely, that he had been brought to the bar on no warrant, and thus the proceedings were strictly extralegal.

What were the consequences of the case against Goadsby? For the man, himself, probably not many, although we cannot know that for certain. Goadsby went on with his importing business, moving three months after the trial to Smith Street, near where his friend John Thurman lived at the time. He stayed in the business through 1790. Less than two years after the trial, Goadsby won the contract for coining coppers for the State of New Jersey. Clearly, his conviction in 1785 did not disqualify him for bidding on the job in 1786. One of his two partners in the contract was Albion Cox, another English émigré and one who had been called to testify in his trial. Whatever testimony Cox had given, Goadsby either forgave or felt was no hindrance to a business deal.

Was Goadsby's short stroll across History's stage of any greater effect? Did he leave a trace of his passing behind him? Thurman certainly thought he had. In his letter, Thurman states that he had been told by several assemblymen that, had it not been for Goadsby's trial, the Assembly might have been moved to take a more conciliatory attitude towards those Tories who had been banished from the state, leaving their possessions behind them. His correspondent, William Smith, just happened to be one of these unfortunates, who had lost all following the war. As an earnest of how close they had come to obtaining some relief for the Tories, Thurman wrote that even old General Alexander McDougall (1732-1786) had told him this. McDougall was no friend of Goadsby or the Tories. A Son of Liberty along with John Lamb and Isaac Sears, McDougall had been imprisoned in 1770 for libel against the General Assembly, very much the same sort of charge raised against Goadsby, and, like our coiner, McDougall's cause was a very popular one. While in prison, McDougall had so many visitors he had to set regular visiting hours. McDougall was a member of the Committee of 51 that sent the letter to Boston from the Merchants Coffee House and during the war held the rank of Major General (1777) with command in the Hudson Highlands. At the time of Goadsby's trial, he was a member of the Continental Congress. In many respects, McDougall and Goadsby were equally outspoken men who both ran afoul of the authorities for what they said in public.

With hindsight, we can see that Goadsby's career on History's stage was short and nearly entirely uneventful. He made no great and lasting impact upon his world apart from the coins he had a hand in leaving behind. For the brief space of four days in March, 1785, however, Goadsby's existence was important outside his own circle and was recognized by the great and near great of his day and place. Afterwards, he faded from the big picture, only to resume his role in his own circumscribed world. Andy Warhol said that everyone will be famous for 15 minutes. Thomas Goadsby had more than his Warholian share of fame. **CNL**

**Text of the John Thurman, Jr. Letter
September 8, 1785**

Those sections pertaining to or concerning Thomas Goadsby are reproduced as published, unedited, in the *Historical Magazine*, second series, v. IV, no. 6 (December, 1868), pp. 294-295. Thurman's orthography and syntax are preserved.

New York 8th Septr 1785
William Smith Esqr. London
to the care of Rob Rashleigh Esquire
No. 25 Garlick Hill

I spent some time Lately with your Old friend Govr L.[ivingston, of New Jersey] he never mentioned your name tho I gave many openings he said it was not against his conscience to declare Independance...he did not rejoice in the Change but Acquis'd in it, as there was no way of avoiding it...[Livingston continued, saying that] Ribbons, Gauses Trimmings, Silks Feathers & ornaments not necessary to decorate the Ladies, nor Lace fine Cloths Cambrick &c to the men Commerce not necessary-Riches an Evil, Pomp a Sin. Poverty Frugality Industry & agriculture Virtues absolutely necessary and must be in Practis ere we can be Happy.,Our Happiness Approaches very fast, Many of our New Merchants & Shopkeepers set up since the Warr have faild, we have nothing but Complaints of Bad times, In Philadelphia it is worse, yet Labour is very high and all articles of Produce very high, very small are our exports-there is no Ship Building, but House Building in abundance & House rent remains high-Law in abundance, the Trespass Act is food for the Lawyers-yet we say there is no mony [but still] Feasting and every other kind of Extravagance go on. reconcile these things if you can. Gloomy Joys.

Perhaps the Following Story may not have come to you from any of your friends Mr. Goadsby, an English Gentleman who arrived here since the Peace was taxed £7-0d by the Partial Law and as he did not conceive himself Subject to the Law as he was clearly not within the description of those [who] were to be taxed, he refused to pay, Alderman Wool committed him, Collonel William Livingston by a Writ of Habeas Corpus brought him before Judge Hubbard in this business about 24 Gentlemen of Mr. Goadsby's Acquaintance attended him from Prison to his own House, 2 & 2 as if it had been a funeral, Our Rout [:] from the Prison, Thro Chapple Street up Queen & Wall Street to my House in Smith Street, here some 5 or 6 Gentlemen gave 3 cheers-which caused many people to enquire what was doing. Collonel Livingston, Mr. Cox, Goadsby & the Sherif & jailor went from hence to the Judges, whe Remanded Mr. Goadsby to Prison-He paid the Tax to avoid further trouble, we went to the Coffee House Drank a Large Boul of Punch, & Closed the Business. But to our Great Surprise, the Assembly then Sitting took Allarum, had Mr. Goadsby taken into custody on a Charge of Treason and sowing Sedition & in Proof on a 3 days Tryal and calling for every person that was suposed to know anything about Mr. Goadsby it was proven he had found Fault with the Insolvent Law had said a man had nothing to do but run in Debt, go to John S. Hubbard & get White Washed and Cheat his Creditors-in Talking of the Tax Law he had said they were all fools together-but whither he meant the makers of the Law-or the Assessors & Tax gatherers-or all that had any thing to do in the Business might be meant the witness could not say but suposed the Latter. Alderman Wool said Mr. Goadsby had told him he did not wait on him in consequence of the warrent but out of Complasance-as much as to say he was not subject to the Law he Mr. Goadsby had said he would have this Business advertised in all the News Papers in Europe-it did not appear he had been charged before the House by any Single Person, on Oath to Authorize the Proceedings-Mr. Lawrence & Peter Yates appeared as Prosecutors in the Business-to examin witnesses &c-in this part of the Business, the Gentlemen began to prove that Mr Goadsby might have counsel; Laws, Cases, the Constitution &c; &c; was produce, when one of the Gentlemen said Mr Goadsby had not asked for Council nor did he know

if he wanted any it would be time enough to prove those matters when he asked council the Question was then put to him & he said he would be glad to have Council and time, which was granted Collonel Hamilton & Livingston were of Council, argued the Matter to very Little purpose Collonel H in opening the Business made use of these remarkable words-I was Lought to appear in Council on this Business, and would not consent, but on Mr Goadsby Assuring me there could be nothing proved against him, & had he known so much would have been Proved, he Certainly would not have consented-Lawrence & Yates criminated Goadsby from this declaration, which I think must have hurt the Collonel as I was informed he said he would give L[awrence] 100 Guineas-for an oppy to reply. The House Resolved Mr Goadsby should ask Pardon pay Fees & be discharged-which he did Collonel H[amilton] took 10 Guineas for his Services-I am sure I should think 10 copers more than they were worth-for had it not been for his Services I do not think but Goadsby might have been freed.

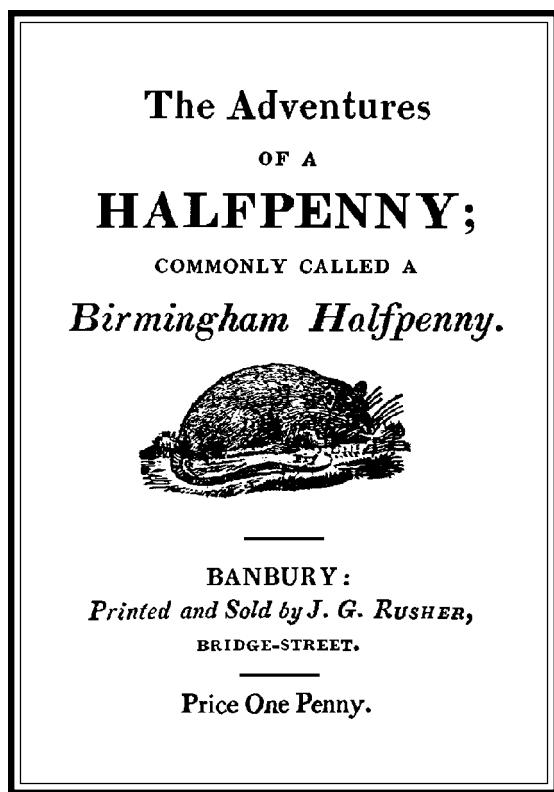
I was called before the House to Evidence in the above Cause but was not examined, and have since been told by several Members had it not been for this affair something would be done for the Banished &c, but now nothing would be expected even Mc[Dougal] himself told me this. I told him I did not care a Single Dam, for my own part they might do as they pleased, without further Grace on the 8 of November next the Law is as full against me as it is against you...

THE ANNOTATED HALFPENNY

by

Charles W. Smith, Ph.D.; Orono, ME

(G-11)



J. G. Rusher and continued in the publishing business in Banbury, England. Mr. Ruskin also reviewed the manuscript and provided interpretation for several of the more challenging passages.

To preserve its charm and historic character, the editors of CNL have chosen to reproduce the original text and woodcuts. The booklet itself is rather scarce. I was able to locate only a few copies in the U.S., complete and readable. I estimate its publication circa 1810.

The booklet begins with an advertisement followed by a poem and a frontispiece.*

* **Editor's Note:** Note numbers have been added to the original text in superscript to help the reader locate the word or passage about which the author is commenting. Also, the booklet pages are presented in their original sequence, starting with the cover page, then inside facing pages and ending with the back page. GAT

I have often looked upon the worn and scarred face of an old copper coin and wondered by what paths it had found its way to me. I thus took particular delight when I came upon the following late Georgian children's story, *The Adventures of a Halfpenny: Commonly called a Birmingham Halfpenny or Counterfeit, as Related by Itself*. I realized immediately that this children's story was not only a whimsical and charming tale, but that it was a text rich with historic insights into the production, distribution and circulation of counterfeit halfpence in late 18th century England.

The story needs no introduction since its author, J.G. Rusher, provides four introductory pages packed with generous detail. However, having done research in this field of numismatics and having lived in England while on sabbatical at the University of Oxford, I thought I might add my experience to the story background by providing annotations to the text.

David W. Ruskin, of Oxford, was instrumental in locating the William Rusher token accompanying this article. William was a relative of

RUSHER'S EDITION.



I was transported from Birmingham, with many of my brethren, of different dates, characters, and configurations, to a Jew Pedlar, in Dukes-place, who paid for us scarce a fifth part of our nominal value.

See the 8th Page.

THE ADVENTURES

OF A

HALFPENNY;

COMMONLY CALLED A

Birmingham Halfpenny,

OR

COUNTERFEIT;

AS RELATED BY ITSELF.

BANBURY:

Printed and Sold by J. G. RUSHER,

BRIDGE-STREET.



Price One Penny.

1. This page lists *LITTLE BOOKS* printed and sold by J.G. Rusher, for a penny each. These children's books would have been called "chap books" in their day and would have measured about 4 inches by 2½ inches. Rusher emphasized his books are "adorned with a great number of cuts," [woodcut illustrations].
2. *Trice* means in an instant and without delay. It is nautical in origin, meaning to haul up or lash up with one quick movement.
3. A *Halfp'ny Chuse* means the booklet itself...a penny is the price.
4. *Basely born* is a term of social class distinction, used from medieval times, meaning born into the lowest social stratum. The reference here is to the fact that the counterfeit halfpenny was not produced [born] at the Royal Mint.
5. This line is a joke. *A Halfp'ny's* [this book] made [earned]a penny [its purchase price].
6. *Adulteration*, as used here, means debased or made impure. This refers to the alloying of scrap metal with copper to produce counterfeit coins.
7. *Itinerant branches* [of the economy] meaning traveling traders, at the bottom of the market, would be the sellers [*dealers*] needing such a humble coinage.
8. The dealers at the bottom of the market were, in fact, trapped there. England was full of itinerant traders in late Georgian times and therefore competition was high. Any attempt by a trader to increase prices would have resulted in that trader being ignored and quickly driven out of business.

<p>THE FOLLOWING LITTLE BOOKS,¹ and many others, Adorned with a great number of Cuts, <i>Are just Printed and Sold by</i> J.G. RUSHER, BANBURY.</p> <hr/> <table border="0"> <tr> <td>History of a Banbury Cake</td> <td>Price 1d</td> </tr> <tr> <td>History of John Gilpin</td> <td>1d</td> </tr> <tr> <td>The Good Farmer, or History of Thomas Wiseman</td> <td>1d</td> </tr> <tr> <td>Galloping Guide to the A B C</td> <td>1d</td> </tr> <tr> <td>Adventures of Sir Richard Whittington and his Cat</td> <td>1d</td> </tr> <tr> <td>Riddler's Riddle Book, by Peter Puzzlecap, Esq.</td> <td>1d</td> </tr> <tr> <td>The Children in the Wood, in verse</td> <td>1d</td> </tr> <tr> <td>The New House that Jack Built</td> <td>1d</td> </tr> <tr> <td>Short Stories, or Treasures of Truth</td> <td>1d</td> </tr> <tr> <td>Anecdotes for Good Children</td> <td>1d</td> </tr> <tr> <td>The Adventures of a Counterfeit, or Birmingham Halfpenny</td> <td>1d</td> </tr> <tr> <td>Pretty Poems for young Folks</td> <td>1d</td> </tr> </table> <p>Any of which, and a variety of others, may be had of the person who sells this.</p>	History of a Banbury Cake	Price 1d	History of John Gilpin	1d	The Good Farmer, or History of Thomas Wiseman	1d	Galloping Guide to the A B C	1d	Adventures of Sir Richard Whittington and his Cat	1d	Riddler's Riddle Book, by Peter Puzzlecap, Esq.	1d	The Children in the Wood, in verse	1d	The New House that Jack Built	1d	Short Stories, or Treasures of Truth	1d	Anecdotes for Good Children	1d	The Adventures of a Counterfeit, or Birmingham Halfpenny	1d	Pretty Poems for young Folks	1d	 <p>Here's something new, Dear Child, for you, 'Twill please you in a trice²; A Halfp'ny chuse,³ Now don't refuse, A penny is the price. Tho' basely born⁴, Pray do not scorn, A tale not worse than many ; For I'm afraid, More say in trade, A Halfp'ny's made a penny.⁵</p> 
History of a Banbury Cake	Price 1d																								
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9. The Tyburn Gallows was the site of London's public executions. Marble Arch is located on this site today.

10. Since 7000 grains equals 1 pound avoirdupois and a nominal counterfeit halfpenny weighs about 100 grain [“The English George III Contemporary Counterfeit Halfpenny Series: A Statistical Study of Production and Distribution,” by Charles W. Smith in *Coinage of the American Confederation Period*, ed. Philip L. Mossman, The American Numismatic Society, Coinage of the Americas Conference, 1995, pages 23-53], then there would be about 70 counterfeit halfpence to the pound weight. At *nine-pence the pound weight*, that gives about 8 counterfeits per penny. This is a surprisingly small value [see annotation 29 for further support of this estimate]. One possible implication of this estimate is discussed in the End Notes.

11. At this time, vast quantities of obscene/erotic materials were openly offered for sale to the public. The term *polite literature* was used to differentiate between decent publications and indecent publications.

12. Songs written for public performance in music halls, a standard form of entertainment, were called *play-house songs*.

13, 14, 15. These are examples of *polite literature* [songs, poems, stories, etc.] but contained in this sentence is a complaint that a halfpenny isn't worth what it used to be. The implication being that its buying power has been driven down by the practice of counterfeiting.

16. The major method of cleaning one's teeth in Georgian times was by *toothpicks*. Toothpicks could be purchased from street vendors at six for the halfpenny, but the devaluation of the halfpenny was driving such vendors out of business.

INTRODUCTION.

The adulteration of the copper-coin⁶, as it is highly pernicious to trade in general, so it more immediately affects the itinerate branches of it. Among these, at present, are to be found the only circulators of base metal⁷; and, perhaps, the only dealers who are obliged to take such counterfeits, as will find a currency no where else; yet are not allowed to raise the price of their commodities.⁸

A Tyburn execution⁹, a duel, a most terrible fire, or a horrid, barbarous, bloody, cruel, and inhuman murder, was wont to bring in vast revenues to the lower class of pamphleteers, who get their livelihood by vending these diurnal records publicly in the streets: but since half-pence have been valued at no more than nine-pence the pound weight¹⁰, these occasional pieces hardly answer the expences of printing and paper; and the servant maid, who used to indulge her taste for polite literature¹¹, by purchasing

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fifty new play-house songs¹², or a whole poetical sheet of the Yorkshire garland¹³, or Gloucestershire tragedy¹⁴, for a half-penny, can now scarcely procure more than one single slip of I love Sue, or the Lover's complaint.¹⁵

It is also observable, that the public walks no longer echo with the shrill cry of "Toothpicks! Take you six, your honour, for a half-penny,"¹⁶ as it did when half-pence were half-pence worth.

But the greatest sufferers are undoubtedly the numerous fraternity of beggars; for, as things are circumstanced, it would be almost as profitable to work as to beg, were it not that many of the uncharitable are now induced to deal out their charity in what is of no other use to themselves, in the hope of receiving seven-fold in return.¹⁷ Indeed, since the usual donation has been so much lessened in its value, the beggars have been observed to be more vociferous and importunate.¹⁸ One of these orators, who takes his station at Vauxhall-Gardens,¹⁹ now en-

17. Here Rusher offered a social comment: he felt people with disposable income made donations to the poor, not through kindness, but rather to support their own hope that, by giving, good things would happen to them. However, these people were, in fact, passing their counterfeit coins to the begging class!

18. The begging classes, because they were receiving less in buying power per coin for their efforts, had grown noisy and pushy in an attempt to increase the number of coins collected.

19. *Vauxhall-Gardens*, a well-known public speaker's place where large crowds would gather, was a popular location for street beggars. Here, beggars had begun to ask explicitly for *GOOD* coins, because they were having difficulty passing the counterfeits they received.

20. Counterfeit *farthings* were of so little value that beggars were actively pulling them out of circulation, the hope being that, if they received only a farthing for their begging, at least there would be an increased chance that it might be a *GOOD* coin.

21. Rusher wonders if good people should not follow the example set by the beggars and begin to pull counterfeit halfpence out of circulation.

22. The hierarchy within the beggars' community apparently operated a mint and a foundry. The *Moorfields* area is located in northeast central London, between Liverpool Street Station on the east and the Barbican Arts Centre to the west. It is interesting that even today The Ironmongers Hall, a trades guild, is located nearby.

23. Contemporary counterfeit halfpence of William III are often cast, a foundry operation, rather than a die striking process.

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forces his piteous complaint, with "Good Christians, one GOOD half-penny to the stone blind;" and another, who tells you he has lost the use of his precious limbs, addresses your compassion by shewing a bad half-penny, and declaring that he is ready to perish with hunger, having tried it in vain at twenty-three places to buy a bit of bread. Farthings, we are told,²⁰ were formerly called in by the beggars, as they threatened the ruin of their community; I should not wonder, therefore, if this public-spirited people were also to put a stop to the circulation of bad half-pence, by melting them down from

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time to time as they come into their hands.²¹ The experiment is worth making; and I am assured, that, for some end or other, orders will be issued out from the king of the beggars, to bring all their adulterated copper to their mint in the Borough, or their foundry in Moorfields.²²

I was led to the consideration of this subject by some half-pence I had just received in change; among which, one in particular attracted my regard, that seemed once to have borne the profile of King William²³ now scarcely visible, as it was very much battered, and besides other marks of ill usage had a hole through the middle. As it happened to be the evening of a day of some fatigue, my reflections did not much interrupt my propensity to sleep, and I insensibly fell into a kind of half-slumber; when to imagination the half-penny, which then lay before me upon the table, erected itself upon its rim, and from the royal lips stamped on its surface, articulately uttered the following narration.

The introduction to this story ends on page vii, as the much-battered halfpenny now rises to tell its story.

24. *Illegitimacy* here means outside the law, that is, not produced by the official authority of the Royal Mint.
25. *Baseness of my extraction*, again in reference to both its metallic content [not good copper] and low social status.
26. Counterfeit coins were produced using techniques that gave them an old and circulated appearance. Struck counterfeits were produced from dies intentionally cut shallow and without detail. Cast counterfeits were produced from molds which received their impressions from well-circulated coins. Various chemical treatments were then employed to give a patina. Here Birmingham is specified as the source of production. This is not at all unexpected since the Birmingham area was a cradle of the Industrial Revolution. Birmingham also appears in the title.
27. The implication here is that counterfeit coins of several monarchs and, perhaps, denominations were produced at the same time. Of course, the date on a counterfeit coin indicates only its earliest possible time of circulation and not necessarily its time of manufacture.
28. We learn here that a middleman was used as a key figure in the first step in distribution, by taking the counterfeit coins from their source of production into the heart of London. At the time of this story, Jews were barred from membership in the trades guilds and discriminated against as property/shop owners. Thus unable to participate openly in the economy as producers or retailers, they could function successfully as distributors of goods and commodities. *Dukes-place* [Dukes Place] is halfway between the Tower of London and Liverpool Street Station.

Adventures of a Halfpenny.

“ SIR,

“ I SHALL not pretend to conceal from you the illegitimacy of my birth,²⁴ or the baseness of my extraction²⁵ and though I seem to bear the marks of old age, I received my being at Birmingham not six months ago.²⁶ From thence I was transported, with many of my brethren, of different dates, characters, and configurations,²⁷ to a Jew-pedlar* in Dukes-place,²⁸ who paid for us scarce a fifth part of our nominal value.²⁹ We were soon after separately disposed of, at a more moderate profit, to coffee-houses, chop-houses, chandler-shops, and gin-shops.³⁰

“ I had not been long in the world, before an ingenious transmuter of

* See the Frontispiece.

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metals³¹ laid violent hands on me; and observing my thin shape and flat surface, by the help of a little quicksilver exalted me into a shilling.³² Use, however, soon degraded me again to my native low station³³; and I unfortunately fell into the possession of an



urchin just breeched,³⁴ who received me as a Christmas-box of his god-mother.³⁵

“ I now lost the very essence of my being, in the custody of this hopeful disciple of avarice and folly; and was kept only to be looked at and ad-

29. The middleman paid about a fifth of nominal face value. That would be 9 or 10 counterfeit halfpence to the penny. [See annotation 10 where the estimate was about 8 to the penny...pretty good agreement for a children's story!]

30. The counterfeit coins were then sold to various business establishments to be used in making change. The middleman added his commission; the use of the words *more moderate* in this case meaning nearer to face value.

31. A *transmuter of metals* was a type of technical forger. By various chemical and thermal treatments, he made objects crafted from base metals appear as to be crafted from precious metals.

32. The halfpenny was rubbed with mercury [*quicksilver*] to give it a silver sheen with the intention of passing it into circulation as a shilling. One might feel that it would be impossible to pass a silvered halfpenny off as a shilling, since a shilling is a bit smaller in diameter, thinner and has an altogether different reverse design. However, one must keep in mind that an illiterate day laborer or itinerant seller may never have had a shilling of his own. Thus a silver coin of about the right size with the king's portrait on it could have been fairly convincing. He might gladly take this "shilling" for sixpence worth of his labor or goods and feel he was getting the best of the deal!

33. The word *use* here means circulation and, with circulation, the thin layer of mercury wore away and the coin reverted to its base metal appearance.

34. *Urchin* was a term for a male working class child. *Just breeched* means just old enough to wear trousers, about 4 years of age.

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mired : but a bigger boy, after a while, snatched me from him, and released me from my confinement.

" I now underwent various hardships among his play-fellows, and was kicked about, hustled, tossed up, and chucked into holes³⁶; which very much battered and impared me : but I suffered most by the pegging of



*tops*³⁷, the marks of which I have borne about me to this day. I was in this state the unwitting cause of strife, envy, and revenge. At length I was dismissed from their service, by a throw with a barrow-woman for an orange.³⁸

Counterfeit Halfpenny. 11

" From her it is natural to conclude, I posted to the gin-shop³⁹; where, indeed, it is probable I should have immediately gone, if her hus-



band, had not wrested me from her, at the expence of a bloody nose, black eye, scratched face, and torn clothes. By him I was carried to the Mall in St. James's Park⁴⁰; where—I am ashamed to tell how I parted from him—Let it suffice, that I was soon after safely deposited in a night-cellar.⁴¹

" From hence I got into the coat-pocket of a Blood,⁴² and remained

35. A *Christmas-box* means a Christmas present. Even today in England, Christmas presents are still occasionally referred to as Christmas "boxes." Small gifts were given, often to tradespeople, on December 26, still called Boxing Day.

36. The halfpenny was used as a plaything in some rather rough games. *Hustled* here means to be shaken in the hands, with other coins, and thrown on to a surface as is done with dice.

37. *Pegging of tops* is another children's game. Conical wooden tops were spun by wrapping a string around the body of the top and throwing it to the ground while holding one end of the string. Done properly, the top would spin on the iron pin or peg at its apex. A variation of this game was to place a target on the ground or floor, often a coin. Each player took his turn and the child who could land his top to spin on the coin would win. As one can imagine, each success left its mark on the coin.

38. *Throw* is an old word for purchase. A *barrow-woman* was a street trader working from a wheel barrow; in this case, selling fruit.

39. *Posted*, as used here, means to travel in haste. A *gin-shop* was a lower class pub featuring gin, the cheapest distilled alcoholic drink available. In the 18th and 19th centuries, gin was also known as "mother's ruin." The barrow-woman heads straight to the pub with the halfpenny, but it is taken from her by her husband, after a struggle.

40. The *Mall in St. James's Park* is the long, wide, tree-lined thoroughfare leading to Buckingham Palace. It was popular as a promenade in Georgian times.

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there with several of my brethren for some days unnoticed. But one evening, as he was reeling home from the tavern, he jerked a whole handful of us through a sash-window, into the dining-room of a tradesman, who he remembered had been so unmannerly to him the day before, as to desire payment of his bill. We repos'd in soft ease on a fine Turkey carpet,⁴³ till the next morning, when the maid swept us up; and some of us were allotted to purchase tea, some to buy

Counterfeit Halfpenny. 13

snuff, and I myself was immediately trucked away at the door for the Sweetheart's Delight.⁴⁴

" It is not my design to enumerate every little accident that has befallen me, or to dwell upon trivial and indifferent circumstances, as is the practice of those important egotists, who write narratives, memoirs, and travels. The king, God bless him, has many



worse subjects than I, for as useless to the community as my single self may appear to be, I have been the instru-

41. The implication here is that the barrow-woman's husband, used the halfpenny to make payment to a prostitute, who then later secreted it in a personal hiding place, a *night-cellar*.

42. *Blood*, in the context of the story, refers to a debauched person, a rake or roué. Blood can also refer to a dandy and, in this case, perhaps, the male protector, or pimp, of the prostitute.

43. Today we would use the term oriental rug. *Turkey carpet*, as used here, is a generic term for carpets, not only of Turkish origin, but Persian, Eurasian, and Asian origin. Most of these carpets arrived in Europe by ancient overland routes, crossing the Bosphorus at Istanbul, hence *Turkey carpets*.

44. *At the door for the Sweetheart's Delight*. I am unable to trace this idea, but it may refer to a confection or candy sold door-to-door.

45. The halfpenny would be the coinage denomination most common to the poor, for their labors. The rich may have occasion to use it for tips, special favors or even small bribes.

46. The days, usually three, before Ash Wednesday [Shrove Sunday, Monday and Tuesday] are so called because this is the time for confession preparatory to Lent. *Shrove* is the past tense of shrive, to give confession of one's sins.

47. *Mock-encounters* refers to mock animal fights played by children using stuffed toy animals, in imitation of cock fights and other popular animal betting sports of the day. The halfpenny rejoices that it was *debarred* [cut off from] any share in supporting the actual *exercise of inhumanity on helpless animals*.

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ment of much good and evil in the intercourse of mankind: I have contributed no small sum to the revenues of the crown, by my share in each newspaper, and in the consumption of tobacco, spirituous liquors, and other taxable commodities. If I have encouraged debauchery, or supported extravagance; I have also rewarded the labours of industry, and relieved the necessities of indigence. The poor acknowledge me as their constant friend;⁴⁵ and the rich, though they affect to slight me, and treat me with contempt, are often reduced by their follies to distresses which it is even in my power to relieve.

“The present exact scrutiny into our constitution has, indeed, very much obstructed and embarrassed my travels; though I could not but rejoice in my condition last Shrove Tuesday,⁴⁶ as I was debarred having

Counterfeit Halfpenny. 15

any share in maiming, bruising, and destroying the innocent victims of vulgar barbarity; I was happy in being confined to the mock-encounters with feathers and stuffed leather; a childish sport, badly calculated to initiate tender minds in arts of cruelty, and prepare them for the exercise of inhumanity on helpless animals!⁴⁷

“I shall conclude, Sir, with informing you by what means I came to you in the condition you see. A CHOICE SPIRIT,⁴⁸ a member of the Kill-Care Club, broke a link-boy’s⁴⁹ pate⁵⁰ with me last night, as a reward for lighting him across the kennel.⁵¹ The lad wasted half his tar-flambeau⁵² in looking for me; but I escaped his search, being lodged snugly against a post. This morning a parish girl⁵³ picked me up, and carried me with raptures to the next baker’s shop to purchase a roll. The master ex-

48. A *Choice Spirit* was slang for someone who lived by his own rules, outside those of accepted societal norms...a rogue or ruffian.

49. *Kill-Care Club* refers, by name, to a criminal fraternity or gang of Georgian London. A *link-boy* was someone who guided persons through dark and dangerous places in a city, to reduce their risk of robbery, or worse.

50. *Broke* is slang for injured. The ruffian injured the link-boy’s head. [*Pate* is an old English word for head.] From the context, perhaps the ruffian begrudgingly threw the halfpenny hard at the link-boy and it cut [as in broke the skin of] his head.

51. The link-boy was lighting the ruffian’s way with a torch across the gutter down the center of the street or *kennel*.

52. A *tar-flambeau* was a simple torch made from pitch, twigs and scrap rags. *Link* can also mean a type of small torch made of tow [the coarse or broken part of flax] and pitch [coal tar or petroleum tar].

53. A *parish girl* was a way to refer to a local girl. It could also carry the negative class connotation that she was from the regional workhouse.

54. *Bridewell* was a famous prison in Georgian times. Here, the baker is threatening the parish girl for trying to pass a counterfeit coin, i.e. *for putting off bad-money*.

16 Counterfeit Halfpenny.

amined me with great attention, and then, gruffly threatening her with Bridewell for putting off bad-money,⁵⁴ knocked a nail through my middle, and fastened me to the counter:⁵⁵but the moment the poor hungry child was gone, he whipt me up again, and sending me away with others, in 'change to the next customer, gave me this opportunity of relating my adventures to you."

When I awaked, I found myself so much invigorated by my nap, that I immediately wrote down the strange story which I had just heard; and as it is not totally destitute of use and entertainment, I have consented to permit that by this means it may be communicated to the public.

I am, Sir,
Your humble Servant,
*Tim. Turnpenny.*⁵⁶

FINIS.

THE FOLLOWING BOOKS,⁵⁷
and many others,
Are Printed and Sold by
J.G. RUSHER, BANBURY.

The Filial Remembrancer, or Collection of the much admired Poems. "My Father, My Mother, My Brother, My Sister, &c" with Originals	Price 4d
Rusher's Reading made most Easy	6d
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The Gleaner, or new Selection of Songs, very small size, embellished with many Engravings	6d
Arithmetical Tables	1d

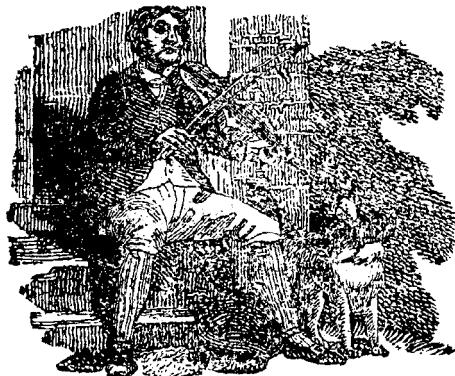
55. The baker nails the counterfeit coin to his shop counter. It was against the law at this time to possess a counterfeit coin unless it had been defaced, in preparation for turning it in for scrap. This was often done by cutting it in half, bending it or holing it. We see this act by the baker is, in fact, hypocritical in that he immediately removes it [*whipt me up again*] and passes the counterfeit halfpenny to his next customer, in change.

56. *Your humble Servant* was a standard ending to a letter in Georgian times. The name *Turnpenny* is a play on the words, "to turn a penny" meaning to keep money in circulation.

57. J.G. Rusher printed and sold books other than children's books. Listed here are a collection of sentimental poems, several history books, a joke book, an illustrated song book and a book of math tables!

58. Without the woodcut, the phrase *with dog and string* might not be clear, but as can be seen, it refers to the blind street performer who earns money from passers-by by playing a violin, *the string*. His dog, being both companion and guardian to the blind man, is also guardian, no doubt, to the halfpence in the hat on the ground in front of him.

Pity the plaint of lame and blind,
 Who oft your charity implore,
 Who cannot work their food to find,
 Nor else than beg from door to door.



Thus this blind man, with dog and string,⁵⁸
 Most piteous cries, Your alms bestow,
 His tale of grief does say or sing,
 A Halfp'ny give, relieve my woe.

END NOTES AND OBSERVATIONS

This informative children's story provides several important, historic insights into the production, distribution and circulation of counterfeit coins in 18th century England.

PRODUCTION

Birmingham, a major location for the production of counterfeit halfpence, is mentioned both in the title and within the text. Industrialization, that is, mass production by machine, was developing at a rapid pace in central England in the 18th century. Advances in mechanical technologies were applied, after a period of experimentation, by both the Royal Mint and counterfeiters, to the cost-effective production of coins.

Most pre-George III counterfeit coins are cast [not all, but most] primarily because the machines required to roll sheet, punch blanks and strike coins were very scarce. The Industrial Revolution changed all that. We usually think industrialization means that machines

produce products quickly and cheaply, but it also means that machines produce machinery quickly and cheaply. Thus, production machinery of all kinds, that had not been available or only available for a huge capital investment, was being made and marketed from several sources in England, each actively competing for a vast spectrum of customers. We learn from the text a startling fact, namely, that even the community of beggars operated a mint in central London! In Birmingham, coins of several monarchs and, perhaps, different denominations were being produced at the same time.

The story also provides two cost estimates for the production of counterfeit halfpence, in context, tied to Birmingham production; one at about eight counterfeits to the regal penny and the other at about nine to ten to the regal penny. That comes out to about four to five counterfeit halfpence to one regal halfpenny. Although there is only about a farthing's worth of copper in a regal halfpenny, and even less in the counterfeits [about 100 grains on average as compared to the nominal regal weight of 150 grains] this alone does not fully explain the two cost estimates in the story. Even when one factors in contemporary wholesale prices for scrap copper, there still remains a gap that would preclude a profit sufficient to compensate for the risks of imprisonment, seizure of assets or even death. [Statute 11, George III, Chapter 40, page 231, "If any person after 24th June 1771, shall buy, sell, take, receive, pay or put off any counterfeit copper coin, not melted down or cut in pieces, at or for a lower rate or value than the same by its denomination, imports, or was counterfeited for, he shall be adjudged guilty of felony."] To understand this puzzle we must change the way we think about calculating the cost of a crime. We must think from the criminal point of view. If one is going to commit the crime of counterfeiting [a very high crime, indeed] then it is reasonable to assume that some, or perhaps most, of the necessary copper was procured through arrangements other than legitimate markets, theft not being the least probable. The fact

that the beggar community could keep a foundry in central London supplied with input material is testimony to an active black market in metals.

DISTRIBUTION

A middleman played a key role in the distribution of counterfeit coins. Large quantities of counterfeits were purchased at the source of production and transported to a population center, in this case, London. The middleman, after adding his commission, sold them, in smaller quantities, to retailers who needed change in order to trade their goods and services. The motivation for the retailer to participate in the final stage of distribution and the first stage of circulation is obvious; by making change with counterfeit coin, his profit margin per sale increased. This is the foundation concept behind essentially all token transactions.

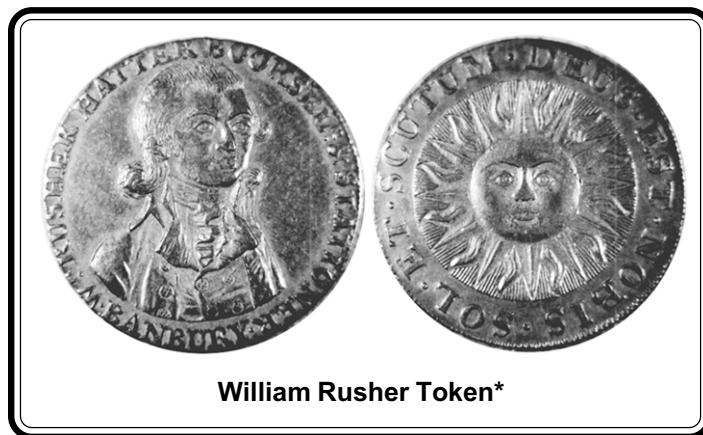
We must keep in mind that the middleman, not just the counterfeiter, was a big risk-taker in this process since mere possession of counterfeit coinage was unlawful. However, the middleman had the flexibility to exercise a considerable range of behaviors in carrying out his business; trafficking being more dynamic than the production stage, by its nature, fixed in location. Thus, the middleman, a major risk-taker, was also a major profiteer. The frontispiece woodcut of the story shows the middleman in a night cellar with a ring of keys, unlocking a huge strong box.

CIRCULATION

This story provides the only reference I have located that describes the practice, by the beggar community, of actively pulling counterfeit farthings out of circulation. The story explains both the motive [to increase their chances as individuals that when given a farthing for their begging efforts, it would be a GOOD coin] and the means [the community itself operated a foundry thus providing a buyer for accumulations of scrap metal]. As far as counterfeit halfpence are concerned, we are treated to a vivid lesson in economics, namely that bad money drives out good. Everyone, from the toothpick vendor and pamphleteer [like J.G. Rusher himself, to some extent] to the link-boy and the parish girl, were affected. The counterfeit coins settled to the lowest economic strata...down to the day laborer, the barrow-women and the prostitute. We often think of counterfeiting as a crime against the government, but as our story clearly illustrates, it is also a crime against the poor..."the greatest sufferers are undoubtedly the numerous fraternity of beggars," the introduction foreshadows on page ii.

And, finally, as all good children's stories should be, this one is entertaining in presentation, informative in content and moral in intent. 

APPENDIX



William Rusher Token*

Legends:

Obverse: W^m RUSHER HATTER BOOKSEL^R & STATIONER • BANBURY •
bust, ¾ facing

Reverse: • SOL • ET • SCUTUM • DEUS • EST • NOBIS
[God is Sun and Shield for us.]
full facing sun with rays

Edge: + PAYABLE AT BANBURY OXFORD OR READING
incused capital letters

Diameter: 28mm (typical)

Weight: 150 grains (typical)

*** Editor's Note:** The William Rusher token is a British provincial token issued during the latter half of the 18th century. During this period a large number of provincial tokens were minted, initially by tradesmen, to facilitate trade because small change was in short supply. Today, in America, the series is often referred to as Conder Tokens because James Conder compiled and wrote in 1798 the first definitive description of these tokens. The standard reference today was written in 1910 by R. Dalton and S. H. Hamer and is titled *The Provincial Token-Coinage of the 18th Century*.

The Rusher token is cataloged in Dalton and Hamer (page 222) as Oxfordshire, Banbury 1 and is listed with two different edges, a plain edge and the above specified lettered edge. The lettered edge is fairly common while the plain edge is rare.

Allan Davisson reprinted Dalton and Hamer in 1990 where he added 29 pages of additional details on the series. **GAT**